

27 May 1988
OCA 1717-88

NOTE FOR:

ADGC/L&CA

AGC/DO

FROM:

Office of Congressional Affairs

SUBJECT:

New War Powers Act

1. Senators Byrd, Nunn, Warner and Mitchell have introduced a joint resolution (S. J. Res. 323) that would significantly amend the the War Powers Act. A copy of the bill is attached for your information.

2. The bill would change the War Powers Act in two major ways: Currently, the War Powers Act mandates the withdrawal of American forces within 60 days unless Congress specifically authorizes their continued presence. The bill changes this requirement by providing that American forces would only be withdrawn on passage of a joint resolution subject to veto by the President. Expedited procedures for considering the resolution would be established.

3. The second major change is the establishment of a Consultative Committee through which the President can consult Congress about the commitment of American forces overseas. The Consultative Committee would be composed of the leadership of the House and Senate, plus the Chairman and Ranking Minority Members of the Foreign Affairs, Armed Services and Intelligence Committees. The Committee would have the power to propose a joint resolution calling for the withdrawal of American forces. More significantly, if the President does not file a report after the introduction of American armed forces into hostilities or imminent involvement in hostilities, the Committee can mandate the filing of such a report by majority vote. It is envisioned that the Consultative Committee would meet with the President on a regular basis to discuss matters on vital national security issues.

4. Given the sponsors of this legislation, it is likely that this bill will see some action in the Senate during this session of Congress. Although it maybe too late in the session for the Congress to adopt this sweeping legislation, it will almost certainly come up in the next Congress.

Attachment
as stated

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OCA/Leg (31 May 1988)

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100TH CONGRESS
2D SESSION

S. J. RES. 323

Amending the War Powers Resolution to provide expedited procedures for legislation requiring the disengagement of United States Armed Forces involved in hostilities or providing specific authorization for their continued engagement in such hostilities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 19 (legislative day, MAY 18), 1988

Mr. BYRD (for himself, Mr. NUNN, Mr. WARNER, and Mr. MITCHELL) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Amending the War Powers Resolution to provide expedited procedures for legislation requiring the disengagement of United States Armed Forces involved in hostilities or providing specific authorization for their continued engagement in such hostilities, and for other purposes.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This joint resolution may be referred to as the "War
5 Powers Resolution Amendments of 1988".